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2624 (3)

PATENT
Customer Number 22,852
Attorney Docket No. 08098.0011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dennis MENDIOLA et al.

Application No.: 09/846,377

Filed: May 2, 2001

For: METHOD AND SYSTEM FOR
INVITING AND CREATING
ACCOUNTS FOR
PROSPECTIVE USES OF AN
INSTANT MESSAGING SYSTEM

Group Art Unit: 2681
Examiner: Unassigned

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SEP 26 2001
Technology Center 2600

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

SECOND INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. Each document listed in this Information Disclosure Statement was cited in search reports from the International Searching Authority of the European Patent Office in counterpart international applications. Copies of these search reports are also attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

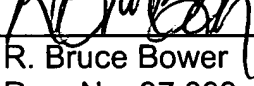
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 19, 2001

By: 
R. Bruce Bower
Reg. No. 37,099

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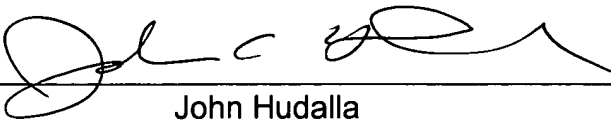
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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Services under 37 C.F.R. § 1.8 on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

on September 19, 2001
Date



John Hudalla

Enclosures:

1. Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97(b), 2 pgs
2. PTO Form 1449, 1 pg
3. 3 references (copies attached)
4. Three International Search Reports (2 pgs. ea.)
5. Certificate of Mailing 1.8